



March 2, 2022

Via ECF Filing

Honorable Diane Gujarati
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Malek v. AXA Equitable Life Insurance Co., et al. No. 20-CV-4885 (DG) (AYS)

Dear Judge Gujarati:

This firm represents Defendant Leonard Feigenbaum. We submit this letter pursuant to Your Honor's order of February 2, 2022, which directed the parties to address the Court's consideration of the documentary exhibits filed by co-Defendant AXA Equitable Life Insurance Company ("Equitable") (ECF No. 35) in connection with Defendants' pending motions to dismiss Plaintiff's complaint (ECF Nos. 33 and 36).

In the interest of judicial economy and to avoid repetition, and given that the documentary exhibits at issue were properly submitted by Equitable via a declaration of its counsel, Mr. Feigenbaum joins in Equitable's supplemental letter brief filed on even date (ECF No. 42). Mr. Feigenbaum respectfully submits that the Court may consider each of the documentary exhibits when ruling on Defendants' motions to dismiss the complaint.

Respectfully submitted,

/s/ Marc J. Ross

Marc J. Ross

cc: All Counsel of Record (*via ECF Filing*)